

AO245B Judgment in a Criminal Case for Revocation (Rev. 06/05)

Sheet 1

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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SEP 11 2007

ROBERT H. SHEMMWELL, CLERK  
BY [Signature] DEPUTY

UNITED STATES OF AMERICA

**United States District Court**  
**Western District of Louisiana****JUDGMENT IN A CRIMINAL CASE**  
(For Revocation of Probation or Supervised Release)

v.

**BRANDON J. SMITH**  
(Defendant's Name)

Criminal Number: 5:02CR50076-01

USM Number: 11495-035

**BETTY MARAK**  
Defendant's AttorneyCOPY SENT  
DATE 9/11/07  
BY BIC  
TO 3048m  
304 DSPD**THE DEFENDANT:**

- ☒
- The defendant admitted guilt to violation of conditions of supervision as outlined in the Petition for Summons for Offender Under Supervision filed by the Probation Officer on 8/29/07.

It is the finding of the Court that the defendant has violated the conditions of his supervised release as outlined in the Petition for Summons filed by the probation Officer on 8/29/07. The Court finds that in accordance with the U. S. Sentencing Commission Guidelines Manual, the defendant has committed at least (4) Grade B violations of his supervised release and having a Criminal History Category of III.

The manual's policy statement suggest an imprisonment range of 8 to 14 months for defendant committing a Grade B violation of Supervised Release and having a Criminal History Category of III.

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

September 10, 2007

Date of Imposition of Sentence

Signature of Judicial Officer

DONALD E. WALTER, United States District Judge

Name &amp; Title of Judicial Officer

Date

9/11/07

DEFENDANT: BRANDON J. SMITH  
CASE NUMBER: 5:02CR50076-01

### **SUPERVISED RELEASE**

The three (3) year term of supervised release ordered on 3/20/03 is hereby continued until 3/20/09 with the same standard conditions

### **MANDATORY CONDITIONS (MC)**

1. The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. The defendant shall not commit another federal, state, or local crime.
3. The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
5. ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
6. ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
7. ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
8. ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)
9. If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.
10. The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### **STANDARD CONDITIONS OF SUPERVISION (SC)**

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

### **SPECIAL CONDITIONS OF SUPERVISION (SP)**

The defendant is hereby ordered to six (6) months in halfway house placement at the directions of the Probation Officer. In addition, the Court will be willing to consider an early termination for the defendant after successful completion of the six (6) months in the halfway house.